

# 6

Export Certification  
Manual

## Special Procedures

### *Federal Grain Inspection Service (FGIS)*

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#### Introduction

The purpose of this section is to provide clarification concerning inspections conducted by the Grain Inspection, Packers and Stockyards Administration (GIPSA), Federal Grain Inspection Services (FGIS) for grain and grain products.

Under the Federal Grain Standards Act and the Agricultural Standards Act FGIS conducts official sampling and official inspections of grain offered for export for marketing purposes. USDA-APHIS-PPQ has a Memo of Understanding with FGIS, whereby, FGIS inspectors can inspect grain and some grain products for the purposes of phytosanitary certification. If both the sampling and inspection were “officially” conducted by FGIS they will provide documentation indicating the results.

If a country has requirements that a specific commodity must be free of a specific pest FGIS will not inspect for that pest unless the exporter requests them to do so. In this case, if an exporter presents an FGIS certificate that does not state that the consignment was inspected and found free of the specific pest(s) ACOs **can not** issue a phytosanitary certificate (PC); the consignment will need to be reinspected.

In addition, FGIS will not inspect, specifically, for non-insect pests unless requested to do so. If FGIS does an inspection and plant debris, soil, weed seeds, etc. are found the FGIS certificate will only indicate that foreign matter was found in the shipment. The certificate will not differentiate between plant debris, soil, weed seeds, etc. If a country requires that a consignment must be free of specific weed seeds or soil FGIS must be asked to inspect for these contaminants. The resulting FGIS certificate must specifically state that the consignment was

inspected and found free of the specific contaminants. If the FGIS certificate presented does not state that the consignment was inspected and found free of the contaminants the consignment can not be certified. Refer to **FGIS Inspections** on page 6-6-2.

FGIS certificates issued for official inspections of exports will show the FGIS seal in the center of the certificate, except those certificates issued for beans and rice. The seal indicates that the grain was officially sampled and inspected by FGIS or an official agency working under GIPSA authority. Before issuing a PC based on FGIS documentation ACOs must ensure that the documentation is acceptable. FGIS issues many types of certificates, all of which are not acceptable as the basis for issuing a PC.

If the sample and inspection was:

- ◆ “Official” the FGIS certificate will be white and can be used as the basis for issuing a PC
- ◆ “Submitted” (not officially sampled) the FGIS certificate will be pink and **cannot** be used as the basis for issuing a PC
- ◆ A “warehouse sample” (not officially sampled) the FGIS certificate will be yellow and **cannot** be used as the basis for issuing a PC



FGIS and their authorized officials can provide exporters with certificates based on unofficial samples. If FGIS did not “officially” sample and inspect the shipment the samples are called “submitted samples.” While the results of these inspections may be on an FGIS document, the documents can not be accepted as the basis for issuing a PC. ACOs must ensure that the appropriate FGIS documentation is presented.

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## FGIS Inspections

FGIS inspections involve the detection of live weevils and other live insects injurious to stored grain. Currently, all grain is inspected for all grain lots for *crotalaria* (*Crotalaria spp.*) seeds and castor beans (*Ricinus communis*) Plant debris, soil and weed seeds are normally classified, by FGIS, as foreign material (FM) on their certificates. FM is a grade-determining factor for marketing purposes.

When an importing country requires that a shipment be free of specific pests and other contaminated that are not routinely targeted by FGIS as part of their official inspection activities:

- ◆ Prior to loading, it is the exporter’s responsibility to request that FGIS inspect for the specific pests or contaminants as part of their official inspection activities.

- ◆ Authorized Certification Official (ACO) must verify that the FGIS inspection certificate indicates negative results for those pests or contaminants. Inspection certificates issued by FGIS, in these cases, must indicate their findings with respect to the specific pest or contaminate.

**Example:** Argentina requires the following additional declaration for wheat grain (as of printing of this manual):

“The shipment is free of *Cirsium arvense*.”

In this case, the exporter must request that FGIS conduct an inspection for *Cirsium arvense* (Canadian thistle). FGIS has special procedures that their inspectors follow when they must inspect for the presence of *Cirsium arvense* in wheat shipments. The FGIS certificate issued for the consignment must indicate that it was found free of *Cirsium arvense*.

FGIS routinely inspects grain samples for the presence of the following weed seeds:

- ◆ *Crotalaria* seeds (Fabaceae)
- ◆ Castor beans (*Ricinus communis*)
- ◆ Cottonseed in wheat grain to Egypt
- ◆ Ragweed seeds (*Ambrosia*) for soybean shipments to Russia



If FGIS can not inspect for a particular weed seed the exporter must make arrangements for FGIS to draw the sample and send it to the ACO for analysis.

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## FGIS Official Agencies

FGIS has designated agencies, called Official Agencies, that are authorized to provide official FGIS sampling and inspection services. Currently, there are approximately 50 companies that have been designated as an “Official Agency.” As of the printing of this manual, a listing of these may be found at the following site:

<http://151.121.3.117/aboutus/oa-dir.htm>



Official Grain Inspection Certificates, Official Sample - Lot Inspection, provided by these companies differs from those provided by FGIS. The name of the Official Agency will be on the certificate and there will be no reference to an FGIS Form number on the certificate, BUT, an FGIS seal must be visible in the center of the certificate.

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## FGIS Treatments

Phytosanitary treatments conducted by FGIS can be included on a phytosanitary certificate if the treatment is included on an acceptable FGIS inspection certificate.

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## Phytosanitary Inspection of Export Grain Shipped from Interior Locations

The protocol for the phytosanitary certification of grain sampled and inspected from interior locations is based on an agreement between APHIS-PPQ and the Federal Grain Inspection Service (FGIS). This protocol is outline in the FGIS Directive 9180.34.

In an effort to address the increased use of containerized grain shipments, APHIS and FGIS drafted FGIS Directive 9180.34 and this APHIS protocol. Both the FGIS Directive and this APHIS protocol address official sampling and inspection of grain shipments at remote facilities. This protocol does not apply to grain loaded at export port locations.

FGIS has designated agencies, called Official Agencies, that are authorized to provide official FGIS sampling and inspection services. Currently, there are approximately 50 companies that have been designated as an “Official Agency.” A listing of these may be found at <http://151.121.3.117/aboutus/oa-dir.htm>.

For simplicity, in this protocol, the term FGIS refers to these Official Agencies.

Under this protocol, it is the exporter’s responsibility to provide FGIS with the importing country’s phytosanitary requirements prior to sampling and inspection. Failure of an exporter to follow this protocol may result in a shipment being ineligible for phytosanitary certification. Should this occur, Export Services should be notified immediately.

In order to ensure that shipments offered for phytosanitary certification have been properly sampled and inspected, under this Directive and protocol, both the Official Grain Inspection Certificate and the Inspection Report-Insects in Grain (FGIS form 921-2 (6-89) must be presented at the time of phytosanitary certification for grain loaded into temporary bins. Deviation from this requirement is not allowed.

## **FGIS Sampling And Inspection Procedure**

The shipments covered by this Directive will be sampled and inspected as grain is loaded into a numbered or, otherwise, identified bin or carrier. If the grain is initially loaded into a bin it may then be moved into a temporary bin prior to being loaded into a carrier.

### **1. Grain loaded into temporary bins**

- A.** It is the exporter's responsibility to provide FGIS with the importing country's phytosanitary requirements. This includes specific requirements for contaminants and/or infestations in addition to the general inspection for insects.
- B.** Grain will be delivered to the grain elevator for storage purposes. As the grain is loaded into the elevator the grain must be officially sampled by FGIS.
  - i.** The bin number must be noted on FGIS documents (see point 3 below under Phytosanitary Certification)
  - ii.** The elevator will be inspected for cleanliness prior to the grain being loaded into the elevator.
  - iii.** Elevator must be empty prior to loading the grain for export: Grain cannot be commingled with grain loaded during previous sampling and inspections. If grain is commingled, phytosanitary certification will be based on the most restrictive inspection results of all lots loaded into the elevator.
  - iv.** It is the exporter's responsibility to maintain the identity of the inspected grain.

### **2. Grain loaded into carriers**

- A.** It is the exporter's responsibility to provide FGIS with the importing country's phytosanitary requirements. This includes specific requirements for contaminants and/or infestations in addition to the general inspection for insects.
- B.** Grain will be sampled as it is being loaded into carrier.

## **FGIS Documentation**

If EXCERPT states that an additional declaration is required, with respect to specific regulated items, the FGIS documentation must state that the shipment was inspected for those regulated items and the results of the inspection.

### **1. For grain loaded into temporary bins:**

Completed "FGIS 921-2, Inspection Report - Insects in Grain" and "FGIS Official Grain Inspection Certificate" must:

- A. FGIS 921-2, Inspection Report - Insects in Grain:** must include the corresponding Official Sample-Lot Inspection certificate number and any other pertinent information in the “Remarks” section to help identify the lot and service provided
- B. FGIS Official Grain Inspection Certificate:** The bin number or other type of identifier and individual carrier identifications must be included in the “Remarks” section. “Carrier” refers to the carrier used to transport the grain to the temporary bin.



Official Grain Inspection Certificates, Official Sample - Lot Inspection, provided by these companies differs from those provided by FGIS. The name of the Official Agency will be on the certificate and there will be no reference to an FGIS Form number on the certificate, **but**, an FGIS seal must be visible in the center of the certificate.

- 2. For grain that is loaded into land carriers and shipped directly for export:

FGIS Official Export Inspection Certificate must be issued. In the “Identification” or “Remarks” section of the certificate, as applicable, the identification of the carriers that make up the lot will be listed. Refer to [Table D-1-1 on page-D-1-1](#) for a list of acceptable FGIS certificates.

### Phytosanitary Certification

Phytosanitary certification of grain that is loaded into land carriers and shipped directly for export must be based on FGIS Official Export Inspection certificates. Refer to [Table D-1-1 on page-D-1-1](#) for a list of acceptable FGIS certificates.

Phytosanitary certification, for grain loaded into temporary bins, must be based on Both “FGIS 921-2, Inspection Report - Insects in Grain” **and** FGIS Official Grain Inspection Certificate. No other documentation is acceptable. **Phytosanitary certification based on FGIS documentation for submitted samples is strictly prohibited and requests for certification based on submitted samples should be reported to Export Services.**

- 1. FGIS documentation must be faxed to the ACO certifying office by FGIS. It is the exporter’s responsibility to provide FGIS with the ACO’s contact information, **or**

Exporter must present the original of both documents to the ACO for phytosanitary certification. If the exporter needs the originals the ACO can copy the originals and use the copies for certification purposes. The ACO must review the original documentation.

2. If EXCERPT states that a shipment must be free of specific regulated items, the FGIS documentation must state that the shipment was inspected for those regulated items and the inspection results.
3. Deviation from this protocol must be reported to Export Services immediately.

### Definitions—Plant Part

- ◆ **Carrier:** A truck, trailer, truck/trailer(s) combination, railroad car, barge, ship, or other container used to transport bulk or sacked grain. [FGIS United States Grain Standards Act 7CFR800.0, 60 FR 5835, Jan. 31, 1995]
- ◆ **Designated agency:** A State or local governmental agency, or person, designated under the Act to provide either official inspection service, or Class X or Class Y weighing services, or both, at locations other than export port locations. [FGIS United States Grain Standards Act 7CFR800.0, 60 FR 5835, Jan. 31, 1995]
- ◆ **Official personnel:** Persons licensed or otherwise authorized by the Administrator pursuant to Section 8 of the Act to perform all or specified functions involved in official inspection, Class X or Class Y weighing, or in the supervision of official inspection, or Class X or Class Y weighing. 7CFR 810.101 Grains for which standards are established. [57 FR 3274, Jan. 29, 1992]
- ◆ **Official sample:** A sample obtained from a lot of grain by, and submitted for official inspection by, official personnel (the term “official sampling” shall be construed accordingly). [CFR 810.101 Grains for which standards are established, 57 FR 3274, Jan. 29, 1992]
- ◆ **Submitted sample:** A sample submitted by or for an applicant for inspection. [Agricultural Marketing Act 7 CFR 868.1 63 FR 29531, June 1, 1998].



Submitted samples have not been drawn by official personnel and phytosanitary certification may not be provided based on submitted samples.

